

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION**

GEANARD E. HOWARD, )  
                        )  
                        )  
Plaintiff,            )  
                        )  
v.                     )                           No. 4:15-CV-197 CAS  
                        )  
                        )  
GEORGE LOMBARDI, et al., )  
                        )  
                        )  
Defendants,            )

**MEMORANDUM AND ORDER**

This matter is before the Court on plaintiff's motion to proceed in forma pauperis. Plaintiff, a prisoner, has filed at least three previous cases that were dismissed as frivolous, malicious, or for failure to state a claim.<sup>1</sup> Under 28 U.S.C. § 1915(g), therefore, the Court may not grant the motion unless plaintiff "is under imminent danger of serious physical injury."

After reviewing the complaint, the Court finds no allegations that would show that plaintiff is in imminent danger of serious physical injury. Plaintiff claims he was prohibited from possessing pornographic magazines. As a result, the Court will deny the motion and will dismiss this action without prejudice to refiling as a fully paid complaint.

Accordingly,

**IT IS HEREBY ORDERED** that plaintiff's motion for leave to proceed in forma pauperis is **DENIED**. [Doc. 2]

**IT IS FURTHER ORDERED** that this action is **DISMISSED** without prejudice.

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1. Howard v. Elam, 4:09-CV-1103 ERW (E.D. Mo.) (failure to state a claim); Howard v. Crawford, 4:09-CV-15 HEA (E.D. Mo.) (failure to state a claim); Howard v. Crane, 4:04-CV-317 MLM (E.D. Mo.) (frivolous); Howard v. St. Louis City Police Dep't, 6th Dist., 4:97-CV-1112 JCH (E.D. Mo.) (frivolous).

An Order of Dismissal will be filed separately.



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**CHARLES A. SHAW**  
**UNITED STATES DISTRICT JUDGE**

Dated this 30th day of January, 2015.